S.B.Civil Writ Petition NO.496/2005

Mohan lal

vs

Banshidhar & Ors.

DATE OF ORDER : - 27.1.2005

HON'BLE MR. PRAKASH TATIA,J.

Mr. R.K.Thanvi, for the petitioner.

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Heard learned counsel for the petitioner.

The petitioner is aggrieved against the order dated 27th August, 2004 by which the trial court refused to accept the certain documents, which is sought to be produced by the petitioner after his filing the affidavits in the matter of proceeding, which was initiated under the Rajasthan Rent Control Act, 2001.

It appears from the reasons given in the order dated 27th August, 2004 that the trial court after considering the facts of the case observed that the petitioner could have produced the documents on earlier occasion. Meaning thereby, the trial court did not find the explanation given for non-production of the document as sufficient reason. This

court while exercising jurisdiction under Article 227 of the Constitution of India is not inclined to examine the reasons given by the trial court for sufficiency or insufficiency of the grounds for non-filing the documents on earlier occasion and the petitioner will be free to challenge the impugned order dated 27th August, 2004 in appeal in case any occasion arises for the petitioner to do so.

In view of the above, I do not find any merit in this writ petition and the same is hereby dismissed with liberty.

(Prakash Tatia), J.

c.p.goyal/-